

**AN EVALUATION OF THE 'PROTOCOL  
FOR THE HANDLING OF DOMESTIC  
ABUSE CASES AT AYLESBURY CROWN  
COURT'**

**For**

**Thames Valley Police**

**Thames Valley Police and Commissioners Office**

**Aylesbury Crown Court**

**Report written by**

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**January 2019**

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## Acknowledgements

The authors wish to extend their thanks and gratitude to all the staff of Aylesbury Crown Court, Thames Valley Police, Thames Valley Victim Care Unit, the Crown Prosecution Service and the legal practitioners who consented to being involved in this research.

Special mention is made for Judge Francis Sheridan who must be commended in his endeavours to bring about real changes to victims of Domestic Abuse, Superintendent Katy Barrow-Grint whose infectious positivity drives change from a policing perspective and Jo Coleman who was central to the initial development of the protocol and who has brought professionalism in its delivery on behalf of the CPS.

We are also grateful to the offenders who were willing to be interviewed about their experiences; without their perspective it would not be possible to get a full picture of all aspects of this process.

We wish to extend our thanks to Research Assistants Ms Angela Coyne and Ms Mirjana Gavrilovic Nilsson who gathered data from Thames Valley Police and who conducted literature searches for this report respectively.

Finally, we wish to thank all of the victims who engaged with us and agreed to be interviewed about their experiences. The heart of this work is victim focused and while these individuals have had to endure unacceptable abuse, their desire to support the judiciary system in providing better outcomes and welfare for victims must not be understated.

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## Executive Summary

### Introduction

- In the year ending March 2018, an estimated 2 million adults aged 16 to 59 years reported that they had experienced domestic abuse (DA) in 2016 (6 in 100 adults) with women more likely to experience DA than men.
- DA can incorporate many types of physical violence, sexual violence, coercive, controlling, and intimidating behaviour.
- Multi-agency work has been systematically promoted by the UK Government since the 1990s to acknowledge that domestic abuse is rarely a one-off event and that agencies must work together to address the range of problems created as a result of this offence.
- Research has consistently demonstrated that victim and witness support throughout the criminal justice process are crucial to avoid the attrition of cases.
- Research has reported that the majority of criminal justice personnel regard the existence of WCUs and other Witness Services as positive and believe that preparation for court improves victims and witness's ability to give evidence and attend court.
- A recent Government Consultation recognised the need for speeding up court proceedings to improve victims' experiences and avoid any unnecessary delays.
- Specialist Domestic Violence Courts (SDVCs) and Fast Track Systems (FTS), together with IDVAs and MARACs, were introduced nationally in 2005 and 2006.
- Wide variation in how the SDVCs functioned across the country have been reported.
- Research found that victims felt safer when engaged in SDVCs and more likely to proceed to prosecution.

### Protocol

- Aylesbury Crown Court (ACC), rolled out a pilot protocol (ACCP) to improve the average length that DA cases spend in the Criminal Justice System (CJS).
- The aim of this multi-agency protocol was to set out the expectations of each agency in relation to the efficient and effective preparation, review and listing of DA cases.
- Once a DA incident has been identified and the suspect arrested, the TVP will prepare all cases as anticipated not guilty pleas.

### Evaluation

- The main aim of this evaluation was to examine the effectiveness of ACCPs objective of improving the efficiency with which DA cases are managed in the crown court, identify areas of potential improvement and explore the potential merits of rolling this initiative nationally.
- A combination of qualitative and quantitative methods have been used in order to evaluate the effectiveness of the ACCP.

### Main Findings (Quantitative)

- In total 153 cases of DA went through the protocol in the time period October 2016 to November 2018.
- From the sample, 97.7% of the perpetrators of domestic abuse were males.

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- 34.4% of those who experienced domestic abuse were between 20 and 29 years of age.
  - The percentage of female victims was 90.9% compared to male victims at 6.8%.
  - The majority of cases involved abuse perpetrated by a partner (31.8%) or ex-partner (34.1%).
  - The 25 to 29 and 30 to 34 years old's have the highest rates of perpetrating DA.
  - Violence Against the Person was the most prevalent offence type in relation to DA.
  - The average number of convictions held by the sample of defendants was 8.58.
  - 19 of the 87 (21.8%) total cases involved first time offenders.
  - The average number of days between being charged and the First Hearing was 8 days.
  - Over 80% of cases that were suitable for fast tracking resulted in guilty pleas.
  - DA costs the state £66 Billion per year.

## Main Findings (Qualitative)

- Offenders were asked whether the process has had any impact; two of the offenders responded by saying that they were happy to plead guilty from the start.
- When asked whether there was anything else they wanted to add two of the offenders said that it would really help if cases are processed quickly.
- Four victims agreed to take part in the study.
- One of the victims wanted to speak specifically about the court process and the fact that the court officials were good and professional "*The judge was very good, very kind*".
- Nine individuals from various agencies were interviewed. When asked to discuss their understanding of the protocol all participants demonstrated a good understanding of it.
- When asked to describe their experiences with the protocol/process overall the stakeholders had a positive experience and emphasised its benefits for the victims.
- On the question about impact of the process stakeholders gave very positive responses especially in terms of victims and justice for them.
- The two participants who were skeptical about the process both referred to a lack of consistency and the fact that it is effective when it is followed.
- The need for ongoing evaluation and measures of success as well as clarity around what officers say to victims about the process were emphasised.
- The longer the victim is engaged with the criminal justice process the higher the associated costs are, therefore there are massive cost reductions as a result of this process.

## Recommendations

- A number of recommendations were made for ACCP a sample of which are below:
  - **R1** – *Full disclosure to both victims and suspects of the ACCP highlighting that cases are built efficiently through multi-agency collaboration to completion with the emphasis on having DA cases heard within a short timeframe.*
  - **R3** – *Full workshop and training day for all staff who are engaged in the process. Factoring in the outcomes of this evaluation as well as providing research evidence on DA in general, examples from case studies of best practice and information about rates of attrition.*

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- **R5** – *A discussion amongst the CPS to have the magistrates court decline jurisdiction immediately and send them directly to the CC only where the case has been determined to be not suitable for summary trial.*
  - **R6** – *Full review of all available technological advancements and how they might be applicable for the courts.*
  - **R10** – *Full review and redraft of the ACCP with concrete working terminologies put in place.*
  - **R12** - *Continuous evaluation as a measurement of success; audited against efficiency, guilty pleas and victim satisfactions for repeat victims as an example.*
  - **R16** – *Evaluation of repeat victimisation and safeguarding and how it can be improved post court case.*
- A number of recommendations were made for the ACCPs national implementation, a sample of which are below:
    - **R17** – *Workshops would need to be held with staff from the multiple agencies that would be involved in delivering the protocol by explaining the process.*
    - **R19** - *Dedicated DA courts sitting at scheduled times to hear cases efficiently.*
    - **R20** – *Funding to support the examination of the rate of attrition nationally.*
    - **R22** – *Workshops with court users in regards to its effectiveness.*
    - **R23** - *Discussion to be had across all agencies about how cases such as psychological abuse can be managed as part of this approach.*
    - **R25** – *Discuss the issue of mandatory arresting powers.*

## Conclusion

- This evaluation found that ACCP has considerable positive impact in regards to improving the efficiency of how cases of DA are managed and run at ACC.
- The efficient managing of cases results in a large number of guilty pleas that lessen the impact on the victim and can feed into cost reductions across all components of DA cases.
- The evaluation of the ACCP puts the multiagency partnership at the centre of its success. In order for national implementation strong multiagency relationships will lead to its success.
- With appropriate resources, file preparation processes and training fast tracking DA cases can be implemented nationally.

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## 1. INTRODUCTION

The extent of Domestic Abuse (DA) in the UK remains problematic. The year ending March 2018 saw an estimated 2 million adults aged 16-59 years in England and Wales experiencing some form of domestic abuse (ONS, 2018) with an increase in the total number of domestic abuse-related offences recorded by the police by the end of March 2018 (ONS, 2018a). DA is also the most common type of violence to be experienced on a repetitive basis. Furthermore, the available figures show that two women are killed each week by a current or former partner in England and Wales (ONS, 2018b).

According to the Home Office (2018) DA is defined as any form of controlling, coercive, threatening behaviour, violence or abuse between people aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality; it can include, but is not limited to physical, sexual, psychological, emotional, financial, online or digital abuse.

Since the 1970s and 1980s, a number of groups campaigned towards having DA appropriately recognised as criminal violence by the criminal justice system (CJS) (Harne & Radford, 2008). However, it is still often perceived as a private matter that should be kept within the confines of the home causing the issue of DA to be isolated or ignored completely (Choi, 2009).

As illustrated by the governmental definition, DA can incorporate many types of physical violence, sexual violence, coercive, controlling, and intimidating behaviour. The term 'domestic' infers the relational element of individuals in any intimate or familial relationship regardless of whether the individuals are living together or not, living in any other form of co-habitual arrangement and are married or not. This does not stop the abuse from taking place on streets, in bars or elsewhere. It is the fact that that perpetrator and victim know each other well and are or have been in intimate or familial relationships that make it a domestic type of abuse with physical, psychological and social consequences (Harne & Radford, 2008).

DA has been cited as a significant public health issue (Champs Public Health Collaborative, 2016; World Health Organisation, 2005) with the most obvious effects of DA being physical harm in the form of injuries. The Crime Survey of England and Wales (CSEW) (ONS, 2017b) reported that violence against the person offences were most likely to be DA-related encompassing 32% of violent crime. It has also been cited as one of the most common causes among women suffering acute and chronic health problems such as broken bones, bruises and neurological trauma (Campbell, 2002; Howard, Trevillion & Agnew-Davies, 2010; Walby & Allen, 2004).

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Linked to physical violence is sexual violence, which broadly covers rape and a range of humiliating, undesirable, pressured and coerced types of sex (Howard et al., 2010). In the year ending March 2016, the CSEW reported that 19.9% of women compared to 3.6% men experienced some form of sexual assault as a part of intimate violence, which includes DA, and attempts including unwanted sexual touching, indecent exposure or rape (ONS, 2017b). The following year, 13% of domestic-abuse related incidents encompassed sexual offences (ONS, 2017a).

Less obvious, but likely more significant, are the mental effects DA may have on victims, particularly women (Harne & Radford, 2008). Victims can suffer mental or emotional problems as a result of a DA incident, such as depression and a variety of anxiety disorders. As a result of DA victims are more likely to develop a drug or alcohol dependency. Furthermore, the effects of DA become particularly serious when the mental health impact of the abuse results in victims self-harming or attempting to commit suicide (Howard et al., 2010; Walby & Allen, 2004).

Whatever type of violence or abuse suffered as part of DA, it can have a devastating effect on victims akin to the trauma of being taken hostage and tortured (Herman, 2015). All these various elements of DA are presented in the Duluth Model, which was created as part of the Domestic Abuse Intervention Project (DAIP) in Duluth, Minnesota in the 1980s (Day, Chung, O’Leary & Carson, 2009). It is based on feminist and sociocultural concepts of domination and control where DA is used as a means for men to display power and establish control over their female partners.

It consists of a *Power and Control Wheel*, which describes how men use male privilege, intimidation, coercion, economic abuse, emotional abuse, children and isolation to control victims (Bohall, Bautista & Musson, 2016). However, its focus goes beyond the intervention of offenders; it is built on research from women’s accounts of DA and takes into consideration that they might not leave their partners due to factors such as a lack of economic resources. It includes support for a strong multi-agency approach closely linked to the judicial system where the continuous safety and support of victims is of utmost importance (Day et al., 2009).

### **1.1 The Nature and Extent of Domestic Abuse**

According to the Crime Survey for England and Wales (CSEW), in the year ending March 2018, an estimated 2 million adults aged 16 to 59 years reported that they had experienced domestic abuse (DA) (6 in 100 adults) with women more likely to experience DA than men.

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There were 599,549 domestic abuse-related offences recorded by the police across England and Wales during that period. This is a stark increase of nearly 25% on the previous year.

DA is considered a serious problem in Britain (Robinson, 2006) with a small number of incidents ending in domestic homicide, the majority of which involving female victims (ONS, 2017b). Whatever form DA may take it is rarely a one-off occurrence and has been consistently reported as having one of the highest repeat victimisation rates compared to any other crime (Flatley, Kershaw, Smith, Chaplin & Moon, 2010; Kuijpers, van der Knaap & Winkel, 2011; ONS, 2017b).

The recording of DA-related incidents by police has improved in recent years, with more incidents coming to their attention as a result of more victims coming forward. It is put forward that the increase in recorded offences is as a result of improvements in identifying and recording DA incidents and also a willingness from victims to come forward. Regardless, DA continues to be severely under-reported with around four in five victims (79%) of partner abuse not reporting the abuse to police (ONS, 2017b). Women's Aid recently released a report of DA survivors using the charity's refuges and outreach support services. It showed that only 28% of women using community-based services and 43.7% of women using refuges reported the abuse to police, with even fewer women seeing criminal sanctions or a criminal case started against the perpetrator (Grierson, 2018).

Reasons for why so many cases go unreported are varied. According to Gracia, (2004) they can be due to personal factors such as;

- embarrassment
- fear of retaliation
- economic dependency
- societal factors (victim blaming)
- imbalanced power relations between men and women
- seeing the incident as a private or intimate matter

Another issue not mentioned is the court process and the delays around seeking justice which can have long reaching implications and relate directly to the issues under examination in this report. DA figures don't take the context or the impact of the incident within which the violence occurs into account, for example, whether the victims experienced power, controlling or coercive behaviour by the perpetrator (Women's Aid, 2018) or if for instance children were involved. The data referenced above can, therefore, only provide a partial picture of the real

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level of domestic abuse experienced in England and Wales, as such, efforts to improve reporting should be explored at all opportunities.

## **1.2 UK Policy and Practice: A Multi-Agency Approach**

The criminalisation of DA gave the criminal justice system the right to intervene in situations that had for long been considered a ‘private family matter’ (Erez, 2002). The issue of DA was first brought to policy makers’ attention by feminist movements in the 1970s. Since then, criminal justice developments such as the Domestic Violence, Crime & Victims Act (DVCVA) 2004 improved the investigation and prosecution of DA cases and Domestic Violence Protection Orders (DVPO) as part of the Crime and Security Act 2010, which are enforceable by the police, provided some safeguarding measures for victims (Davies & Biddle, 2017; Home Office, 2016).

In 2014, the Domestic Violence Disclosure Scheme (DVDS), known as Clare’s Law, was rolled out to all 43 police forces in England and Wales giving members of the public the ‘right to ask’ the police about a partner’s history of DA and for the police to disclose any information regarding previous violent and abusive offending to safeguard and protect the public (Davies & Biddle, 2014; Home Office, 2016a).

The *Ending Violence against Women and Girls Strategy 2016 – 2020* (VAWG) promotes prevention, provision of services and perpetrator pursuit with an aim of transforming service delivery and social action to achieve a long-term decline in the prevalence of DA and sexual violence as well as helping girls and women re-establish their lives and reduce the consequences of abuse. VAWG promotes partnership working at a local and regional level which in recent years has seen growing to include Multi-Agency Public Protection Arrangements (MAPPA), Multi-Agency Safeguarding Hubs (MASH), Multi-Agency Risk Assessment Conference (MARAC), Domestic Abuse, Stalking and Honour-Based Violence (DASH), Risk Identification, Assessment and Management, and the establishment of Independent Domestic Violence Advisors (IDVAs) (Davies & Biddle, 2014; HM Government, 2016).

Multi-agency work has been systematically promoted by the UK Government since the 1990s to acknowledge the fact that domestic abuse is rarely a one-off event and that agencies must work together to address the range of problems created as a result of this offence (Home Office, 2000). The 1995 Home Office Inter-Agency Circular on domestic violence and the Crime and Disorder Act 1998 changed partnership working by implementing statutory

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requirement for police, CPS, probation and local and health authorities to work together to tackle complex crime problems (Berry, Briggs, Erol & van Staden, 2011).

This has been reinforced in the VAWG strategy, which asserts the need for a variety of organisations to work together to tackle domestic abuse. This includes statutory services such as those mentioned above as well as voluntary and community services (HM Government, 2016). A survey sent to participants in MARACs and IDVAs across all known MARACs in England and Wales found that the MARAC meetings were mostly successful in identifying risks for both victims and perpetrators, exhibited good coordination amongst members and had appropriate information-sharing protocols in place (Home Office, 2011).

The developments mentioned above both in policy and practice have all gone through and are still going through their own challenges; for example, the DVCVA (2004) has been criticised for failing to address migrant women experiencing domestic violence and failing to safeguard children in family law if parents separate (Harne & Radford, 2008). MARACs have been criticised for failing to safeguard children and young people with variations in the extent to which children's and social care agencies chose to engage with the MARAC process (Peckover, Golding & Cooling, 2013). DVPOs, which are valuable for fast responses to victims' immediate needs, have sometimes been criticised for being used instead of criminal law provisions and replacing the need for conducting a proper investigation (Graca, 2017).

Criminal law and the judiciary play a vital role in safeguarding victims and bringing offenders to justice. For the above-mentioned policies and practice to be as effective as possible, there needs to be a swift response by the criminal justice system from the point of identifying incidents to the end of the prosecution process. An effective criminal justice response is crucial to tackling domestic abuse.

### **1.3 The Criminal Justice Process in the UK**

#### ***1.3.1 Police Response***

Police work is crucial in the prevention of incidents of DA including the safeguarding of victims. It starts with receiving an incident report through to the arrest, detention and charging of a suspect. Police work also involves a certain amount of preventative work in order to protect victims from assault or vice versa (Groves & Thomas, 2014). However, the police have not always functioned this way and criticisms have been made in the past in terms of police not taking domestic violence seriously and classifying it as a 'real' crime (Groves & Thomas, 2014).

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This was significantly problematic in the 1980s with police officers often reluctant to even become involved in domestic incidents (Groves & Thomas, 2014). The traditional view on DA has since shifted thanks to Home Office Circulars (Graca, 2017; Grace, 1995) and special policy guidance on how to deal with DA cases (Groves & Thomas, 2014).

When a report of DA is first made, any Basic Command Unit (BCU) police officer may be called on to make a response. They are responsible for identifying signs of abuse and ascertaining risk, safety planning for victims and potential victims to prevent any further offences in the future and detecting criminal offences so that offenders can be brought to justice. Since the 1990s, forces are required to have some sort of specialised team or trained officers familiar with the dynamics of DA sent out with the BCU officers or as part of specialised Domestic Violence Units (DVU) (Grace, 1995; Groves & Thomas, 2014). They provide valuable additional support and advice to officers when they are unsure of how to proceed (College of Policing, 2016).

An efficient police response holds important significance to both DA victims and perpetrators. How the police respond to DA incidents, especially if they are responding to a first disclosure or help-seeking attempt, carry important messages to how victims will respond to the police. For example, a poor response might deter victims from getting help in the future putting them at further risk of violence whilst a supportive response will ensure the victim that their claim is going to be handled professionally, genuinely and that they will get the access to further specialist support services as required (Groves & Thomas, 2014; Harne & Radford, 2008). It will assure confidence in and establish rapport with the police so that victims are not put off from calling the police if the incident reoccurs and means the victim is more likely to cooperate with the police and any future prosecution process that may arise (College of Policing, 2016).

If an arrest is made, the suspect is removed to a police station to be detained in a custody suite supervised by a custody officer and the secondary response begins. This involves developing an investigation through conducting investigative interviews, obtaining victim and witness statements and gathering evidence such as CCTV footage, 999 call transcripts and forensic evidence. An evidence-based case should be built without relying on the victim, as there are many reasons why a victim may not wish to cooperate, although if victims support the case, successful police action and prosecution will be more likely (College of Policing, 2016).

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Case files are prepared as anticipated for not guilty pleas (CPS, 2015) with as much information as possible to help the CPS make a charging decision. They are also flagged as domestic-abuse related in the Case Management System (CMS). The case files should include details of all the evidence and offence gathered, the relationship between the victim and perpetrator, risk and bail details, any bad character evidence and details on victim and witness safeguarding (College of Policing, 2016). The police will send the case files to the CPS for charging consideration; they are responsible for considering the evidential reports received and will decide on whether to charge or not following deliberations with the police. The *Code for Crown Prosecutors* (CPS, 2013) is used as a guide for the CPS in deciding whether there is enough evidence to pursue prosecution and whether it is the public interest (CPS, n.d.).

In the year ending March 2017, the average number of days it took to make a charging decision in DA- related cases was 6.7 days – an increase of approximately 2 days from the year before – with a decision to charge being made for 72% of these cases (ONS, 2017b). This increase in average length of time may be due to the surge in cases being referred to the CPS. It may also be due to cases, such as DA and sexual offences, involving complex investigation and cuts to police resources in recent years (Cawley, 2015).

When considering bail, the safety of the victim has to come first. Pre-charge bail can be considered pending a charging decision from the CPS or if further enquiries are necessary to gather the needed evidence for a charging decision. The conditions necessary to impose bail are set out in the Bail Act 1976 and include preventing a person from failing to surrender, committing offences whilst on bail and obstructing the course of justice by interfering with victims/witnesses (The Prosecution Team, 2011).

When a decision has been made, the police will be advised to either charge the suspect or not. If no charge is made, a ‘no further action’ decision has been made and other responses such as cautions or Domestic Violence Protection Notices (DVPNs) might be considered (Crime and Security Act 2010, ss24-33; Groves & Thomas, 2014). If there is a decision to charge then post-charge bail is considered. Victims may be afraid of repercussions once a charge has been made. Prosecutors need to consider applying appropriate conditions for bail to protect victims and witnesses from risks of danger, threats or re-victimisation. Otherwise the suspect should be remanded in custody until the pre-trial plea hearing (PTPH) (CPS, n.d.). It is paramount that the CPS have as much information, such as Victims Personal Statements, as possible from the police and any support services to be able to consider any concerns or fears that the victim may have when making bail considerations (The Prosecution Team, 2011).

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### *1.3.2 Support for Victims and Witnesses: Witness Care Units*

It is important to consider the experiences of victims and witnesses throughout the whole criminal justice process. Research has consistently demonstrated that victim and witness support throughout the criminal justice process are crucial for them to be able to go through with the process and to avoid the attrition of cases, where cases fail to make it through the criminal justice system and do not end up in a criminal conviction (Criminal Justice Joint Inspection, 2009; Hester, 2006; Hester, 2012).

Witness Care Units (WCUs) exist across England and Wales to improve victims' and witnesses' experiences of the criminal justice system from the point of charge through to the conclusion of the case (Ministry of Justice, 2015). They have been run as a joint partnership by the police and CPS, acting as single points of contact for victims and witnesses throughout the process providing support and information at every stage in the progression of the case and responding to their needs to encourage confidence and willingness to support the prosecution process (College of Policing, 2015). In Thames Valley however the WCUs have been run solely by the police since 2014.

Research has reported that the majority of criminal justice personnel regard the existence of WCUs and other Witness Services as positive and believe that preparation for court improves victims and witness's ability to give evidence and attend court with the overall experiences of victims and witnesses improving as a result (Criminal Justice Joint Inspection, 2009; Plotnikoff & Woolfson, 2007). WCUs have a range of responsibilities. These include, but are not limited to,

- The provision of relevant material relating to victims and witnesses, such as victim personal statements to the court,
- Informing the victims and witnesses of relevant court hearing dates, court bail and court bail conditions,
- Advising the CPS on dates on which victims and witnesses cannot attend; and
- Making assessments to identify any support or special measures needed to allow victims and witnesses to attend court and give the best evidence they can. Special measures can include giving evidence via live link, screening a witness from the accused, video-recorded evidence and entering the courthouse via private side entrance (College of Policing, 2015; Ministry of Justice, 2015).

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There are a number of support organizations, such as Refuge or Co-ordinated Action Against Domestic Abuse (CAADA), available as additional support. There may also be an opportunity to get support from IDVAs. They act as advisers on court processes and form an important part of the MARAC process (Groves & Thomas, 2014). IDVAs work with victims from the point of crisis to assess risk, develop safety plans and ensure their safety and that of their children. This is all done with a long-term solution for safety as a goal.

Evaluation studies have reported favourable results with victims' well-being and coping abilities improving and repeated violence and referral decreasing (Coy & Kelly, 2011; Howarth, Stimpson, Barran & Robinson, 2009; Taylor-Dunn, 2015). Again, it cannot be highlighted enough that keeping victims informed, "either by police or [by the courts] of any change to bail conditions or custody status of a defendant" is crucial to a victim's safety (HMCPSI, 2004, p.113).

### *1.3.3 The Crown Prosecution Service & Courts*

If the CPS reaches a decision to prosecute, the process will move to the courts where remands and bail decisions, convictions and sentences are determined. The VAWG strategy (HM Government, 2016) sets out the central framework of violence against women and girls and human rights under which DA prosecutions should be addressed. However, the CPS also recognises that although the majority of DA victims are women, there will also be victims that are men and perpetrators that are women (CPS, n.d.).

All criminal proceedings start in the Magistrates' Court and may later be transferred to the Crown Court for trial or sentence. The first Crown Court hearing, a pre-trial plea hearing (PTPH), involves the defendant entering a guilty or a not guilty plea. If the defendant enters a guilty plea, the case may be put off to await pre-sentence reports or sentencing might occur on the same day. If a not guilty plea is entered, a trial date will be set (Groves & Thomas, 2014; Rights of Women, 2012). This might be 2-3 months from the not guilty plea but can also take up to six months or longer.

The length of time it takes to get to the trial stage depends on a number of factors. The police are responsible for investigating and compiling evidence against a suspect whilst the CPS brings the case to court. The time it takes to do this depends on the availability of witnesses and their willingness to go to court, the availability of the defendant and the preparation time for both the prosecution and defence to prepare their individual cases. Other factors include the volume, type and complexity of cases going through the criminal justice system in different locations and the wider range of agencies involved in the progression of a case, e.g. judges,

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court administrators, witnesses and local authorities (Ministry of Justice, 2016; Rights of Women, 2012).

A recent Government Consultation recognised the need for speeding up court proceedings to improve victims' experiences and avoid any unnecessary delays likely to cause victims to retract their statements, not attending court or otherwise not supporting the case (HM Government, 2018). CPS data on DA flagged cases shows that in 2016 -17, unsuccessful outcomes due to victim issues rose to 54%, mainly due to non-attendance (CPS, 2017).

## **1.4. Specialist Courts**

### ***1.4.1 Specialist Domestic Violence Courts and Fast Track Systems***

Specialist Domestic Violence Courts (SDVCs) and Fast Track Systems (FTS), together with IDVAs and MARACs, were introduced nationally in 2005 and 2006 as a response to the Government's consultation paper 'Safety and Justice' (Home Office, 2003). They recognised that there needed to be a stronger focus on issues such as DA and prevention, protection and support for victims (Cook, Burton & Robinson, 2006). SDVCs and FTS were intended to speed up the prosecution process and increase efficiency by 'clustering' DA cases to be heard on the same day with aims of increasing conviction rates, improving sentencing options, improving victims' experiences and reducing costs of prosecuting DA and violence cases. SDVCs would also consist of specially trained magistrates and prosecutors to provide the best support and advice for victims from start to conclusion. There are now a number of SDVCs operating throughout England and Wales on a multi-agency basis together with IDVAs to improve the overall victim experience (Harne & Radford, 2008).

Since the introduction of SDVCs in 2005, the number of convictions and successful prosecutions has increased. However, a review by the Centre of Justices and Innovation in 2013 identified wide variation in how the SDVCs functioned across the country and recommended reaccreditation for specialist courts to ensure they are delivering on core principles (Bowen, Qasim & Tetenbaum, 2013). Another threat to SDVCs is the 2011 politics of austerity that has instigated the reduction of specialised staff and manpower instigating many SDVCs to be shut down (Groves & Thomas, 2014).

In areas where there are not any specialist courts as such, there might be Fast Track Systems in place to ensure the same effectiveness as SDVCs. This includes expediting cases to reduce the risk of victims withdrawing support for the prosecution and requesting prompt information from police by setting target timescales for responses to which police and other

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agencies have to comply. For example, in South Wales and parts of Hampshire, DA cases take priority where more than one trial is ready to progress. This protocol is known and adhered to by all agencies involved (HMCPSI, 2004:108).

An early evaluation carried out by Cook et al. (2004) into the effectiveness of SDVCs and fast track systems in five areas found that victims were very satisfied with the advice, support and information provided by IDVAs working within the specialist courts and other agencies. A more recent evaluation by Bowen et al. (2013) also found that victims felt safer when engaged in SDVCs and more likely to proceed to prosecution.

#### *1.4.2 Specialist Courts in other Countries*

Specialist courts have been around for longer in other countries than they have in England and Wales. Specialist courts are well established in countries such as USA, Australia and Canada where traditional criminal justice approaches have not been very successful (Eley, 2005; Quann, 2007). The first specialist courts developed in the USA in the early 1980s. They operate in a variety of ways with some being modelled on the handling of both civil and criminal cases whilst others are handled in a criminal way only (Cook et al., 2004). Whatever way they operate, a key feature of any specialist court is the use of specialist-trained judges and prosecutors with independent advocacy support available for all victims (Burton, 2006). In places where specialist courts do not operate, other ‘cluster’ models to fast track cases through the court might occur instead (Cook et al., 2004).

In the USA, court specialisation is not new. For example, there are thousands of specialised drug courts in operation as well as other problem-solving courts such as mental health courts (Dollar, Ray, Hudson & Hood, 2018). Whilst advocating safety and justice for victims, they also tend to link perpetrators with therapeutic interventions with court monitoring to ensure compliance and other services and incentives to reduce the risk of re-offending (Burton, 2006).

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## **2. THE PROTOCOL**

Aylesbury Crown Court (ACC), located in Aylesbury, Buckinghamshire within the Thames Valley Police force area, rolled out a pilot protocol ‘PROTOCOL FOR THE HANDLING OF DOMESTIC ABUSE CASES AT AYLESBURY CROWN COURT’ on the 20<sup>th</sup> November 2017 to improve the average length that DA cases spend in the Criminal Justice System (CJS) within that area. The agencies involved in the protocol include ACC themselves, Her Majesty’s Court and Tribunal Service, Thames and Chiltern Crown Prosecution Service (CPS), Thames Valley Police (TVP) and the Witness Care Unit (WCU).

According to the draft document the aim of this multi-agency protocol was to set out the expectations of each agency in relation to the efficient and effective preparation, review and listing for trial and sentence of DA cases being heard at ACC. Fast-track approaches are important in protecting DA victims and reducing the risk of repeat victimisation by putting appropriate safeguarding and support mechanisms in place within an appropriate time frame (Cook, Burton, Robinson & Vallely, 2004). Thus, the pilot was conducted with the hopes of providing an evidence-based approach in the handling of DA cases for national implementation following evaluation.

The protocol follows the current governmental definition of domestic abuse. It is defined as any form of controlling, coercive, threatening behaviour, violence or abuse between people aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality. It can include, but is not limited to physical, sexual, psychological, emotional, financial, online or digital abuse (Home Office, 2018). Each agency has an important role to play within the protocol to improve the average length of time that DA cases are dealt with at ACC.

There are certain situations in which cases will not be appropriate for fast tracking as intended by this protocol. These include offences charged under section 18 OAPA 1861, serious sexual assault offences and those where either the prosecution or the defence are relying on the use of phone records. Serious consideration also needs to be given to whether or not medical evidence is required or not by the prosecution.

### **2.1 Thames Valley Police**

Once a DA incident has been identified and the suspect arrested, the TVP will prepare all cases as anticipated not guilty pleas and provide the following case file material with the relevant MG forms in accordance with national standards (CPS, 2015):

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In all cases:

- MG3/3A
- MG4/4A - (charge sheet and bail variation) or
- MG4D/DPG/E - (postal/written charge)
- MG5 – case summary
- MG6
- MG6C
- MG9 – list of witnesses
- MG 10 – police witness non-availability
- MG11(s) – all KEY witness statement(s) or ROVI(s)
- Previous convictions – print of defendant and key prosecution witnesses

And if applicable:

- MG2 – special measures assessment
- MG4A/B/C – bail condition information
- MG6B – police officer/staff misconduct record
- MG6D – schedule of relevant sensitive material
- MG7
- MG8
- MG11 - VPS
- MG12 – exhibits list
- MG16 – bad character
- MG19 – compensation form and details
- SFR – forensic submissions/results
- Other key evidence – CCTV/999/BWV (all edited)

It is important that forms are filled out in this manner as it assists the police and CPS in complying with the Data Protection Act 1998 ensuring that all agencies which share information, handle it according to the same security classification (The Prosecution Team, 2011). In custody cases the police will provide the file to the CPS for review 7 days after the first appearance allowing the CPS 7 days to review the case before Plea Trial Preparation Hearing (PTPH). The timescales for the provision of this material, as referenced in the protocol, are included in the section on timescales below.

## **2.2 Witness Care Unit (WCU)**

The WCU is responsible for providing continuous support and information to victims and witnesses from the point of charge to the end of the case (HMCPSI, HMICA & HMIC, 2009). The ACCP sets out that the WCU will be in regular contact with the victim from the point of sending the case file material stated above to the CPS. It will also notify the CPS of any dates that should be avoided. The CPS will inform the appointed Crown advocate who will in turn put the dates before the court to assist in the prompt listing of the case.

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The WCU must make clear to the victim the strict timescales within which their case will be heard for trial. It will also manage the victim's expectations and make any travel and accommodation arrangements in a prompt and efficient manner. Live link requests need to be highlighted to the Judge at the earliest opportunity so that a Section 51 (Criminal Justice Act 2003) order can be made.

The provision of information in a timely manner is key to improved victim satisfaction and willingness to support the prosecution (CPS, 2012). If there is any sign of victims disengaging or showing reluctance to support proceedings, the WCU must immediately notify the case officer, the CPS and ACC Listings Office.

### **2.3 Crown Prosecution Service (CPS)**

According to the ACCP the CPS are committed to prioritising the review of all DA cases. Once a suspect has been arrested and charged, the CPS will receive the case file and where possible appoint a DA specialist to review the majority of DA cases in Aylesbury Crown Court for the purpose of adhering to the protocol. In any case, all cases on the Crown Court team are allocated to a named lawyer for review and case management purposes. During this time it is important that they listen to and take the views of the victim into consideration when determining whether to proceed with a prosecution or not. However, this should not be the sole deciding factor (CPS, n.d.).

As the TVP has prepared all cases as an anticipated not guilty plea, all information will be reviewed prior to the initial hearing in the Magistrates' Court in bail cases. See below for information on overnight cases. If any further information is provided by the TVP after the initial hearing, then this information must be reviewed by the corresponding lawyer before the PTPH.

A small number of Crown Advocates will also be nominated by the CPS to be responsible for the prosecution advocacy of the DA cases before ACC. The Crown Advocates will deal with the PTPH and the trial where possible. At the PTPH, the CPS will raise and resolve the parties' issues around special measures and live links.

### **2.4 Live Links**

Live links, set out in Section 51 of the Criminal Justice Act 2003, enable the court to allow witnesses to give evidence by live link if giving evidence in this way is in the interests of the efficient administration of justice (CPS, n.d.). If the technology is available and the case is deemed appropriate, it is expected that complainants will give their evidence by live link.

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Whilst deciding whether the use of live link is appropriate, the CPS and the Court will consider the following circumstances:

- The availability of the witness
- The need for the witness to attend in person
- The importance of the witness's evidence to the proceedings
- The views of the witness
- The suitability of the facilities at the place where the witness would give evidence through a live link
- Whether a direction might tend to inhibit any party to the proceedings from effectively testing the witness's evidence.

## **2.5 HM Courts and Tribunal Service/Aylesbury Crown Court (ACC)**

The purpose of this protocol is for ACC to prioritise the handling of DA cases. It will ensure that cases are listed for trial as soon as reasonably practicable after the PTPH and in any event within four weeks of the PTPH (the listings before the implementation of the protocol were being listed for trial within two weeks and one day). It is imperative that victims and witnesses be properly forewarned about all trial dates throughout the process and are supported to attend. ACC will also be receptive to prosecution requests to remove cases from a fast track listing where there is good reason to do so and where a likely effective outcome will be jeopardised. At the PTPH, the ACC will set strict time limits for the defence to action any outstanding issues.

## **2.6 Timescales**

The timescales presented below do not apply to custody cases as TVP will not have had the opportunity to prepare an anticipated not guilty plea file before the first appearance and the CPS will not have been able to review the case. These timescales also do not apply to cases which started off as custody cases and where defendants were subsequently granted bail as the same preparation issues will exist.

The first hearing to PTPH on sending time for DA bail cases will be reduced from 28 days to the following:

- Where a case is sent from a Magistrates' Court on a Monday, Tuesday or Wednesday it will be listed for PTPH at ACC on the following Monday.
- Where a case is sent from the Magistrates' Court on a Thursday or Friday it will be listed for PTPH at ACC on the next Monday but one.

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These timescales do not apply to cases which started with the defendant in custody. In those cases, the PTPH will be on a Monday at Aylesbury Crown Court to the nearest 3 weeks after their first appearance.

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### **3. THE CURRENT EVALUATION**

The authors were contracted by the Thames Valley Police and the Thames Valley Police and Crime Commissioners Office to conduct an independent evaluation of the Aylesbury Crown Court Protocol and examine its effectiveness. This was undertaken within a short time frame of 12 months between January 2018 and December 2018.

The evaluation was based on a mixed methods methodology; quantitative and qualitative. As such the findings are split in two parts: Part 1 includes an analysis of ACC listings data and case file information held by Thames Valley Police in order to gain an understanding of the types of cases that go through the protocol and Part 2 includes interviews with victims and offenders who went through the process and stakeholders from the Police, the Crown Prosecution Service, Victim Care Unit as well as Solicitors and the presiding Judge of Aylesbury Crown Court, in order to gain an understanding of the processes and functioning of the protocol.

It is important to note here that this evaluation is on the basis of materials and information provided, and the authors are not to be held responsible for any shortfalls or omissions, or any inaccuracies, due to errors or gaps in data and/or information received.

#### **3.1 Aims of Evaluation**

The main aim of this evaluation was to examine the effectiveness of ACCPs objective of improving the efficiency with which DA cases are managed in the crown court, identify areas of potential improvement and to explore the potential merits of rolling this initiative nationally. More specifically the objectives were to:

- a) Describe the nature of the cases that go through the protocol.
- b) Investigate individuals, who are involved with the protocol, i.e. offenders, victims, stakeholders, understanding of this initiative.
- c) Explore the ways that the protocol has been introduced and explained to offenders, victims and stakeholders/practitioners.
- d) Investigate the experiences of those individuals involved with the process (offenders, victims, stakeholders).
- e) Assess the impact that the initiative had on the cases that go to court.
- f) Identify good practice in the operation and implementation of the protocol.
- g) Provide recommendations in respect of any internal improvements and/or adjustments.
- h) Provide recommendations in respect of the potential of rolling the protocol nationally.

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## 4. METHODOLOGY

A combination of qualitative and quantitative methods have been used in order to evaluate the effectiveness of the ACCP.

### 4.1 Ethics

The current study gained ethical approval by the University of Huddersfield, School Ethics Research Panel (SREP) and as such it abides by the British Psychological Society's Code of Human Research Ethics and Code of Ethics and Conduct. Anonymity and confidentiality were maintained throughout and all participants took part in the study voluntarily. The nature of the study was explained from the start to all participants as well as the fact that their responses were completely confidential to the researchers and that they were free to refuse to answer any questions or stop the interview at any time. Upon understanding the aim of the study and the above conditions all participants had to provide their consent before the commencement of the interviews.

### 4.2 Quantitative Analysis

Quantitative analysis included:

- a. Analysis of ACC case listings data
- b. Analysis of case file information

### 4.3 Qualitative Analysis

Qualitative analysis included:

*a. Suspect/offender interviews*

Semi-structured interviews were undertaken with a total of three male suspects/offenders. A series of 11 questions were asked to gauge knowledge of the protocol and to establish any other relevant points of information from those engaged who have gone through the protocol (see Appendix I). The interviews took place at the Aylesbury Crown Court via a live video link to the prison and they lasted approximately 30' each.

*b. Victim interviews*

Semi-structured interviews were undertaken with a total of three female victims. A series of 12 questions were asked to gauge knowledge of the protocol and to establish any other

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relevant points of information from those engaged with the protocol (see Appendix I). The interviews took place over the phone as this method, compared to in-person interview, is less intrusive, allows greater flexibility for scheduling, enhances perceived anonymity, increases privacy for respondents and confers greater power and control to interviewees in terms of negotiating interviews to suit their schedules as well as rescheduling, interrupting, or ending the interview. The interviews lasted approximately 20' each.

*c. Stakeholder Interviews*

Semi-structured interviews were undertaken with a total of nine male and female stakeholders involved in the ACCP. Staff members from The Police, the Crown Prosecution Service, Victims Care Unit as well as Solicitors and the presiding Judge of Aylesbury Crown Court were asked a series of nine questions to gauge knowledge of the protocol and to establish any other relevant points of information from those engaged with the protocol (see Appendix I). The interviews took place over the phone, in order to allow for flexibility for scheduling and lasted approximately 20' each.

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## 5 FINDINGS

This section presents the results of the quantitative and qualitative analyses performed in order to assess the effectiveness of the ACCP. It is split in two parts.

**Part 1** presents the results from the quantitative data analysis, namely a description of the cases that went through the ACCP, information about guilty pleas and an economic component and **Part 2** presents the results from the qualitative data analysis. Part 2 is further split into three sub-sections as follows; a. findings from the *offender/suspect interviews*; b. findings from the *victim interviews*, c. findings and information gathered from the various *stakeholders* involved in the ACCP.

### 5.1 Part 1: Quantitative Findings

In total 153 cases went through the protocol in the time period October 2016 to November 2018. The findings below are based on analysis conducted prior to starting the interviews (Part 2 of the study) and cover data over the time period October 2016 to April 2018 therefore only 88 cases out of the 153 were analysed for this part. The key findings are as follows:

- From the sample, 97.7% of the perpetrators of domestic abuse were male.
- The most common age groups to experience domestic abuse within this sample were the 20 to 24 year olds and the 25 to 29 year olds; 34.4% of those who experienced domestic abuse were between the ages of 20 and 29 years (Table 1).
- The percentage of female victims was 90.9% compared to male victims at 6.8% of the sample. In 2.3% of the cases, there were both a male and a female victim of domestic abuse, which were usually cases where the victims were parents of the defendant.

**Table 1.** *The prevalence of age groups among domestic abuse victims*

Age Group	Percentage
16 to 19	4.6
20 to 24	17.2
25 to 29	17.2
30 to 34	8.0
35 to 39	13.8
40 to 44	5.7
45 to 49	8.0
50 to 54	10.3
55 to 59	0.0
60 to 64	1.1
65 to 69	2.3
No Age Information Available	11.5

- The relationship between the victim and perpetrator of domestic abuse was also analysed. The majority of cases involved abuse perpetrated by a partner (31.8%) or ex-partner (34.1%), with a number of cases caused by another family member (18.2%). Known to the Victim (Unrelated) made up 8% of the sample. Known to the Victim (Unrelated) would be anyone whom the victim knows but is not related to, for example, friends, acquaintances, siblings' partners, or anyone whom the victim is in regular contact with, outside of their family or relationships.
- The age groups with the highest rates of perpetrating domestic abuse are the 25 to 29 year old's and the 30 to 34 years old's. Combined, 47.1% of the defendants of domestic abuse were aged between 25 to 34 years old (Table 2).

**Table 2.** *The prevalence of age groups among domestic abuse perpetrators*

<b>Age Group by Years</b>	<b>Percentage</b>
16 to 19	3.4
20 to 24	9.2
25 to 29	25.3
30 to 34	21.8
35 to 39	10.3
40 to 44	11.5
45 to 49	8.0
50 to 54	4.6
55 to 59	4.6
60+	1.1

- The main charges for the crimes committed were placed into selected offence groups to reflect the procedure carried out in the Domestic abuse in England and Wales: year ending March 2017 report (Office for National Statistics, 2017). Violence Against the Person is the most prevalent offence type in relation to domestic abuse, which also reflects findings from the Domestic abuse in England and Wales: year ending March 2017 report (Office for National Statistics, 2017). They reported violence against the person as the most prevalent offence type with 32% (Table 3).

**Table 3.** *Proportion of Offences Committed by The Sample of Defendants*

<b>Offence Category</b>	<b>Percentage</b>
Violence Against the Person	48.85
Public Order Offences	34.65
Criminal Damage and Arson	10.3
Sexual Offences	3.95
Miscellaneous Crimes Against Society	2.25

- The average number of convictions held by the sample of defendants was 8.58 convictions. Of the sample, 19 of the 87 (21.8%) total cases involved were first time offenders. Five cases had 20 or more previous convictions, with one case having 37 previous convictions (Table 4).

**Table 4.** *Average number of previous convictions held by the defendants within the sample.*

<b>Offence Category</b>	<b>Average</b>
Offences Against the Person	2.66
Sexual Offences	1.00
Offences Relating to Police/Courts/Prison	5.87
Offences against Property	3.24
Fraud Offences	3.56
Public Order Offences	2.59
Theft and Kindred Offences	5.80
Drug Offences	2.50
Firearms Offences	1.22
Miscellaneous Offences	4.77
Non-Recordable Offences	1.19

- The average number of days between being charged and the First Hearing date was 8 days.

## **5.2 Guilty Pleas**

One of the most significant findings relate to the number of guilty pleas across DA cases that were part of the protocol. Of the 153 DA cases dealt with by ACC from October 2016 until November 2018 it included 32 committals for sentence. Of the remaining 121, 31 individuals pleaded guilty at the pretrial plea hearing. Cases that had been received from the Magistrates Court were considered as fast track unless there were overnight custody charges. A number of cases that reached the Crown Court had to be removed from the pilot due to more time being needed. These temporal impediments, include but are not limited to, the following reasons;

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- Cases that had sexual allegations
  - Cases charged as attempted murder
  - Cases involving child neglect allegations
  - Cases where the Judge called for the Crown Prosecution Service to review the case
  - Cases where the defendant failed to attend and a bench warrant was issued

Cases such as these resulted in 49 cases being removed. Of the remaining cases, 18 were guilty pleas and 10 went to trial, 13 were cases discontinued by the Crown or the Crown offered no evidence in.

Therefore when taking into account cases that were suitable for being fast tracked the proportion of guilty pleas was established. As such, based on the available data it was found that a potential 59 cases out of the 153 that was received by ACC met the criteria for fast tracking. Of these cases over 83% resulted in a plea. While we don't have access to a comparison sample the results of the interviews with stakeholders have indicated this to be a considerable increase.

### **5.3 Cost Saving**

The estimated costs associated to DA in the year ending 31 March 2017 is £66 Billion for England and Wales. According to recently published research by the Home Office they note that the largest component of the estimated costs is in the physical and emotional harms incurred by victims (£47 billion); in particular the report highlights the emotional harms which account for the overwhelming majority of the overall costs.

There is further impact on the economy; £14 billion in loss of output due to time off work and reduced productivity as a consequence of DA. The report notes that DA costs the health services around £2.3 billion, the police around £1.3 billion and housing services in the region of £550 million. These costs are broken down as costs in anticipation (£6 million), costs as a consequence (£63 billion) and costs in response (£1.7 billion).

Some interesting figures are available for comparison in regards to the work of the ACCP and the police in assigning outcomes for DA cases. The national average as reported in the Home Office report for Violence with Injury is 17 days, Criminal Damage is 14 days and Public Order is 22 days. However, this study found that that the average time period from

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charge to hearing is 8 days. If the Thames Valley Police provided data to this study it is very likely that they are contributing to reducing the national average by a point or two.

While the home office report is merely a rehearsal of descriptive statistics with the application of some basic economic modelling, it does very well in highlighting the considerable amount of money that DA related incidents cost each year. Furthermore, it also highlights the disproportionate spending on management over prevention which is a key concern.

As the majority of the costs relate to victim expenditure, any method which attempts to reduce the impact of DA on them, is likely to be cost saving. If a victim is less psychologically impacted by the court process and safeguarded quicker than they are likely to have less requirements for extensive support following this process. Therefore, fast tracking DA cases can potentially lead to cost saving in the most expensive component of DA related expenditure.

These figures serve as an example of the substantial costs of DA. In regards to this report the financial implications of the protocol were considered by examining available information on the costs associated with court proceedings initially.

The Law Society conducted an analysis on July 2018 that estimated the cost of a day in court to be around £2,692. This figure was established by calculating the court running costs which included HMCTS staff expenditure, salaried and fee-paid judges expenditure and estate costs. However, this figure relates only to court costs and the costs involved with officers time to attend court, the continuous contribution and monitoring from Victim Care Unit staff as well as solicitors fees would considerably increase the costs of a case running for an extended time period. As such swiftly processing cases in a timely manner has extensive cost saving associated to it across all agencies involved. The Home Office report discussed above puts the unit costs of DA per victim at over £34,000. They estimate that the cost of police at £645. Furthermore, they note that the cost of a hearing in the Crown Court is assumed at £2,300, which is loosely in line with the figures produced by the Law Society.

The high number of guilty pleas, over 80% of suitable cases, serve already as a massive cost reduction in regards to for instance, Jury costs. If the outcomes of the ACCP were to be replicated nationally and applying a lower plea threshold of 60% as an example, then there could be savings of over 7.5 million on jury service alone.

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## 5.4 Part 2: Qualitative Findings

### 5.4.1 *Suspect/offender interviews*

As previously mentioned three offenders consented to take part in the study. The answers were analysed qualitatively and the most important findings are presented below based on the questions answered.

#### *Understanding, introduction and explanation of the protocol/fast-tracking*

When participants were asked to discuss their understanding of the protocol it was obvious from the responses that there was a misunderstanding around what the protocol was. Only one of the offenders recognised what the protocol was as he had heard about it from the Judge but could not provide any details.

When asked to explain how the protocol was introduced to them and whether it was adequately explained only one of the interviewees said that the Judge informed him about it but felt that he needed more information. The other two said that they didn't have much knowledge and would like to have known more. Interestingly, one of the offenders mentioned that his barrister said to him that it will shorten the case.

#### *Experience with the protocol*

In the question about their experiences with the protocol only one of the offenders provided a response saying that he felt very depressed as he was out of prison with no money and didn't find the experience a positive one. It should be noted though that it was apparent that he was recounting his personal experience with the case and not the protocol specifically.

#### *Impact of process*

Offenders were asked whether the process has had any impact on various aspects such as plea, life, case and so on. Two of the offenders only responded admitting that they were happy to plead guilty from the start.

#### *Effectiveness of process and recommendations for improvement*

Only one offender responded emphasizing his vulnerable position throughout the process and recommended that the protocol/process needs to be explained in more detail/properly.

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### *Additional comments*

When asked whether there was anything else they wanted to add some noteworthy responses were received. While two of the offenders said that it would really help if cases are processed quickly

*It will make things better rather than hanging around (Offender 1).*

*I Know I will be going home. It will help the court system to have people in and out (Offender 2).*

One of the offenders said that he used the remand time to help him and added

*If the process happens quickly nobody is going to learn a lesson, they go out and do it again. I think people need a bit of time to reflect (Offender 3).*

### **5.4.2 Victim interviews**

Similar to the interviews with offenders only four victims agreed to take part in the study. The researchers attempted to get in touch with the victims but most of them never responded to the messages.

In addition, the victims who spoke to the researchers did not want to follow the questions in the order set by the research team rather wanted to give their own account. It became apparent that they did not have much knowledge about the protocol or did not want to talk about it specifically rather than wanted to speak about their experiences and things that they thought could be improved such as;

- immediate sentence upon an offenders proven guilt;
- not having to appear in court as they find the process intimidating;
- the fact that the sentence of a convicted offender is reduced while in prison;
- the fact that offenders claim mental health issues and this can delay things;
- the system in general not being fair as they are not allowed to know where the offender lives while he does know;
- the prison to introduce courses around positive relationships.

One of the victims wanted to speak specifically about the court process and the fact that the court officials were very good and professional and added:

*The judge was very good, very kind (Victim 2).*

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### 5.4.3 Stakeholders interviews

In total nine individuals from various agencies/organisations were interviewed. Similar to the offenders' interviews, the answers were analysed qualitatively and the most important findings are presented below based on the questions answered.

#### *Understanding, introduction and explanation of the protocol/fast-tracking*

When asked to discuss their understanding of the protocol all participants demonstrated a good understanding of its aim. Most of the participants were introduced to the protocol either by the Judge or their line manager or were in fact involved in its development. One stakeholder mentioned that a similar process existed but it was informal. The protocol formalised this process and clarified the responsibilities of each agency.

One participant mentioned that when she was first introduced to it she had doubts about timescales but was later very positive about the process:

*Met with the judge and discussed the process – originally, we didn't think we would be able to meet it due to time restrictions of the CPS – they have many restrictions on them. BUT it actually worked incredibly well (Stakeholder 2).*

In addition, all stakeholders were very satisfied with the explanation they were provided with about the protocol and thought the process was clear to them. One of the participants felt she needed her line manager to have gone into more detail and discuss facts and figures as well as the theory and rationale behind what they are doing. Finally, another participant mentioned the lack of consistency for each case following the protocol. She also mentioned that some of the cases did not follow the exact protocol.

#### *Experience with the protocol*

When asked to describe their experiences with the protocol/process overall the stakeholders had a positive experience and emphasised the benefits especially for the victims

*Timing is the issue – benefits outweigh the challenge (Stakeholder 1).*

*It has worked incredibly well – Victims are completely happy with staying engaged because of speed; Decline in victims asking for special measures; From a care purpose it has been less demanding; Great verbal feedback from victims (Stakeholder 2).*

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*I have had enquiries from around the country – they wanted to know how we do it (Stakeholder 3).*

*Overall its quite good – there is a general feeling that the sooner we can get cases to the court the victim will still be mad and attend court and that means we can get them to court. Problem is that if its delayed we lose victims. You are more likely to get the injured party to court following this process (Stakeholder 4).*

*The impact has been that we are seeing speedier justice; there are cases that are managing to get through the courts in days and weeks rather than months (Stakeholder 9).*

One of the participants had a negative experience of the process as she mentioned that two cases involving high risk defendants had fallen through the cracks so it is very important that the process works as described otherwise the experience can be very traumatic for the victims. Another stakeholder also emphasised the fact that the process works when it is followed.

*I think it works when it is in place – we are aware the longer a case takes to go to court the less likely victims are to engage (Stakeholder 7 ).*

The same stakeholder also mentioned some practical difficulties and the stress for them to sort out everything in a short period of time.

*Stress with short time period – practical support – transport accommodation needed – a day to sort it out (Stakeholder 7).*

Other benefits that were mentioned were time saving, and therefore massive cost reduction, for various professionals, especially officers, case workers and legal professionals, as the case is dealt with quicker and offenders plead early.

#### *Impact on cases that go to court*

On the question about impact of the process on cases that go to the court and in what way this impact is demonstrated the stakeholders gave very positive responses especially in terms of victims and justice for them.

*Guilty pleas yes – increase in pleas. The longer it takes the more likelihood of losing the victim (Stakeholder 1).*

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*Yes – we have had some really good outcomes with the offenders and the victims – and a massive impact on justice for the victim. We have already had an increase in successful attendance – when the victims attend we get more guilty pleas. Without the victim it's hard to proceed – no attendance means usually the case is dropped. Less drop off – more guilty pleas (Stakeholder 2).*

*Yes – because the results are 180 cases and only 7 had needed a trial; the rest have all pleaded. The minute the word gets out it impacts on how people plead and whether they try and play the system. The time it takes. It's such an important fact for a DV case (Stakeholder 3).*

*Real positive is getting the victim to the court. Especially when they have been left in the dark for months on end and there is no regular contact and often they can lose hope and interest – so for it to be so fresh and recent is of major importance (Stakeholder 4).*

*Yes – the process has had a really positive impact – they have been dealt with quickly; both the victim and the defendant have both benefitted from the cases being dealt with expeditiously and swiftly. It has given the victims a chance of obtaining justice and getting their matter heard quickly and not withdrawing (Stakeholder 5).*

Two participants as in previous questions said that the process has an impact but only when it is followed

*If it goes to plan it works great – when it doesn't then it doesn't (Stakeholder 6).*

*I think the cases that followed the protocol have been very successful – victim engagement is much higher – however the issue is when cases don't follow it. Cases that are not priorities We are not getting as many cases that are following the protocol (Stakeholder 7).*

### *Effectiveness of process*

All participants but two agreed that the protocol has been very effective until now.

*Yes – it think its effective because at the end of the day it deals with the case swiftly because it has to be good for all involved (Stakeholder 3).*

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*Yes it is effective – because we are getting prosecutions through the courts quicker and victims are satisfied and better safeguarded and offenders get help and less chance of reoffending (Stakeholder 5).*

The two participants that were skeptical about the process both referred to a lack of consistency and the fact that it is effective when it is followed:

*No – the only reason is because there is a lack of consistency with it when manageable it could be effective. If we can have the court space and court time when we need it; but when there is a lack of consistency between cases it's tricky. Some cases might get priority – for instance the cases that have defendants in custody (Stakeholder 6).*

### *Recommendations for improvement*

A number of recommendations for improvement as well as challenges were put forward by the interviewees. These relate mainly to the fact that not all domestic abuse cases follow the protocol.

*We have challenges – not all DA cases go in. We have a caveat – medical evidence phone evidence – these cases can't be dealt with; so speeding up the phone and medical; more serious cases would go in there (Stakeholder 1).*

*Some cases slip out for some reasons. We should be tighter and capture all cases. We need to be careful that we meet the time guidelines to halt anyone dropping out (Stakeholder 2).*

*We have an issue with custody cases which are often taking long – but they are more complicated. It would be good if they could get through the system – it's illogical that bail cases are getting through quicker. More DV units in the police (Stakeholder 4).*

*Fast track direct into the Crown Court – getting the magistrates to decline jurisdiction and just send it. I would wish for the courts to reassess cases and give more of a quicker turnout around for those who are high risk (Stakeholder 6).*

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*Consistency – a set time scale for the cases. If there is a victim that is unwilling or reluctant then it would be nice to see that person prioritized. It can be frustrating – we have cases with victims being more disengaged and we wish that the court could accommodate them in some way (Stakeholder 7).*

*My suggestion would be – one dedicated DV court per cluster; Include all cases (Stakeholder 8).*

*In terms of improving the process – digital working – ability to use video links from elsewhere – would impact on the speed; digital is impact; Skill base in terms of file quality – how officers deal with cases (Stakeholder 9).*

#### *Additional comments*

When stakeholders were asked whether there was anything else they wanted to add apart from issues that were already mentioned previously such as consistency and proper file building, one participant mentioned that the victims were never informed that this process is a pilot. This would have impacted on their expectations, especially for those who did not have a similar experience in the past, but also had an impact on their participation and responses to this study/evaluation. However, it must be stated that this was a deliberate decision as it was a pilot.

*I don't know what the reaction to the victims was because they were never informed that they were told that it was a pilot. Victims were just told that this was the process. Business as usual. Going to court is a big enough worry. "This court will be listing quickly" We went back to the victims how did you feel – brilliant. Victims were never told that this was a pilot in ACC but just that this would be listed quickly. Worked brilliantly for witness care (Stakeholder 2).*

*The main thing is how the files are built – if you don't do this right at the beginning it won't work (Stakeholder 3).*

*I understand why it's being done and I can see the value in it – down the line it can be extremely effective if we can keep it consistent (Stakeholder 6).*

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Another participant emphasized the need for ongoing evaluation and measures of success as well as clarity around what officers say to victims about the process and what victim expectations are:

*Concern about comparative work – what are the success rates- how are you measuring success. In order to ensure longevity – we need to see the stats to see how it is working (Stakeholder 9).*

*What do the officers say to the victim and what their expectations are (Stakeholder 9).*

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## 6 DISCUSSION

The aim of the current study was to examine the effectiveness of ACCPs objective of improving the efficiency with which domestic abuse cases are managed in the Crown Court, identify areas of potential improvement and explore the potential merits of rolling this initiative nationally. To achieve the aim the study utilised a mixed methods methodology; quantitative and qualitative. Part 1 of the study included an analysis of ACC listings data and case file information held by Thames Valley Police in order to gain an understanding of the types of cases that go through the protocol and Part 2 included interviews with victims and offenders who went through the process and stakeholders from the Police, the Crown Prosecution Service, Victim Care Unit as well as Solicitors and the presiding Judge of Aylesbury Crown Court, in order to gain an understanding of the processes and functioning of the protocol.

At the time of the writing of this report a total of 153 cases have gone through the protocol. In terms of the nature of the cases that went through over the time period October 2016 to April 2018 ( $N=88$ ) findings revealed that the overwhelming majority of the offenders (almost 98%) were males aged between 25 to 34 years old (47%) who were either the current or ex-partner of the victim. Almost half of the offenders were charged with Violence against the Person (49%) followed by Public Order offences (35%), Criminal Damage and Arson (10%) and Sexual Offences (4%). On average the offenders had 8.58 previous convictions. Regarding victims the majority (91%) were females aged between 20 to 29 years old (34%). Furthermore, the average number of days between being charged and the First Hearing date was eight days. However, one of the most significant findings is that of those cases that are eligible for fast track, there has been guilty pleas recorded for over 80% of these cases. Furthermore, the significant cost savings in regards to this specific issue alone warrant consideration.

Findings further demonstrated that while stakeholders had, in general, a robust understanding of the workings and processes of the protocol this was not necessarily true for the offenders and victims involved in the process. Similarly, most stakeholders expressed satisfaction with the explanation provided to them about the protocol from the start while offenders and victims did not engage with that question. Only one offender felt that he needed more information a sentiment shared by a small number of stakeholders too. In terms of their experience with the protocol and its impact the stakeholders indicated positive outcomes and emphasised benefits in terms of victim satisfaction, increase in guilty pleas and victim attendance.

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The significant increase in guilty pleas is one considerable positive outcome of the protocol. Increasing the efficiency of the cases being heard directly relates to an increase in the number of guilty pleas. This process works as a result of the extensive work undertaken by the police to build the cases to completion and this must not be understated.

When the figures are examined in regards to the total economic costs of DA nationally, the impact it has across multiple agencies beyond the police and the courts have been estimated at over £66 billion in costs to the economy per year.

The protocol has a knock on impact in terms of cost reduction associated with each case being resolved. The longer a victim is engaged with the criminal justice process the higher the associated costs are. This is specifically referenced in the fact that victim care costs equate to £47 billion per annum. Therefore, there are massive cost reductions due to time saving for various professionals involved, from officers to case workers onto legal professionals as a result of processing cases quickly. The cost savings associated with reducing the impact of prolonged court proceeding on victims and the associated support that would need to be provided as a result, is also a real positive of the protocol.

The majority of stakeholders agreed that the protocol has been very effective; this report is in full agreement and highlights the protocols importance, effectiveness and need for continued support and development especially if it is to be implemented nationally. In light of this though, a number of ways that could strengthen the protocols impact, so it can achieve its full potential, are outlined below.

## **6.1 Recommendations**

The section below contains recommendations (R) made as a result of this evaluation drawing on the interviews available data and professional judgement. They are presented in two sections to adhere to the aims of the ACCP, which are recommendations for the current process running out of ACC and recommendations for its national implementations.

### **6.1.1 Recommendations ACC**

The issue of understanding of the ACCP for those it directly relates to was an obvious concern.

**R1** – *Full disclosure to both victims and suspects of the ACCP highlighting that cases are built efficiently through multi-agency collaboration to completion with the emphasis on having DA cases heard within a short timeframe.*

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The issue of consistency was highlighted a number of times in that some cases were fast tracked and others were not. This was a point of reference for how victims are advised and the fear of losing faith in having their case heard efficiently.

**R2** – *Adherence to a strict time scale that is supported across all organisations for all cases that meet the criteria.*

While there was clear understanding across a number of stakeholders interviewed, it is noted that a portion of these were directly involved in its design and implementation, however, there was evidence that how the ACCP is presented to those who work on a day to day basis, with for instance victims, could be improved.

**R3** – *Full workshop and training day for all staff who are engaged in the process. Factoring in the outcomes of this evaluation as well as providing research evidence on DA in general, examples from case studies of best practice and information about rates of attrition.*

It was noted that bail cases are more efficiently processed than custody cases.

**R4** – *While it is acknowledged that custody cases are more complex and charged on the threshold test a full review how to progress these cases more efficiently should take place.*

On the issue of actually improving the efficiency it is suggested that the way the courts initially deal with cases could be examined.

**R5** – *A discussion amongst the CPS to have the magistrates court decline jurisdiction immediately and send them directly to the CC only where the case has been determined to be not suitable for summary trial..*

Another point that was drawn out in the discussion with the stakeholders was for improvement in the digital workings of all agencies.

**R6** – *Full review of all available technological advancements and how they might be applicable for the courts. One example of this might be consent to record statements at the scene with victims and this audio-visual footage being admitted as evidence in the case file. Improving the technological tools that officers have such as body camera*

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*recording equipment having multi use and the ability to upload audio files as part of a case file should be explored.*

**R7** - *Remote live link capabilities. For instance, being able to link a victim into the court via a secure network that they would be able to link into from their device that would mean they could present at court remotely from the comfort of their own home or a safe environment. The research evidence available has consistently reported on the negative experience of victims attending court.*

While the researchers are aware of the issues in regards to this recommendation it is still worth highlighting. While working directly on the case files during data extraction at the beginning of the project it became apparent that the computer systems used to record and store case information is outdated and unnecessarily complex.

**R8** – *Full review and overhaul of computer databases used by the police.*

**R9** – *Workshops and guidance on the utility, for the propose of evidence-based practice, on the type and nature of data that is collected and recorded on police systems. For instance, enabling an officer to ping a location geocode to a database that is the start of a file preparation would not just save time but would be incredibly useful for a variety of mapping exercises on the nature of DA offending both locally and nationally and is not only restricted to DA offences.*

As part of this evaluation the draft ACCP was reviewed. While it is acknowledged that this is a working document not intended for circulation outside of the agencies involved, there was a lack of information in this draft due to its limited scale that required an intimate understanding of the multiple agencies involved.

**R10** – *Full review and redraft of the ACCP with concrete working terminologies put in place. The words fast track and pilot and protocol are used interchangeably with staff who engage with the ACCP. Terminology and being able to define what is under examination is of primary importance for issues around consistency and understanding.*

**R11** – *In the redrafting of the ACCP as recommended in **R10** a section on the theoretical basis and operational rational should be included. This can then form the basis of a working document that can be used to roll out the protocol nationally and will be useful for any agency training that would be needed.*

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The research on DA is clear in reporting that it is rarely a one-off incident and retains one of the highest repeat victimisation rates compared to other crimes.

**R12** – *Independent evaluation as a measurement of success that is audited against efficiency, guilty pleas and victim satisfaction.*

**R13** – *The work that is being done by ACCP needs to be promoted nationally within the media and through published research papers in peer reviewed journals, to showcase both the work that is being done to safeguard victims and the academic support that exists for it. Furthermore, a well-executed promotion campaign will spread information on the problems of DA and the support that is available. This will also promote its uptake and buy in from other agencies around the country. Specific attention should be paid to the high amount of guilty pleas recorded.*

**R14** – *In light of R13 it might be worth considering a full and detailed communications and marketing plan for the promotion of this work as best practice. Suggestion is for a documentary to be commissioned on the work being done in ACC to help support victims of DA. This will also spread the message to a wide audience which will again, improve knowledge of the protocol and also potential uptake in assisting a national roll out and possibly also providing the impetus for victims of DA to come forward to the police.*

While it wasn't possible to gauge the level of post case support a victim has, it is important to note that the process does not stop on conviction. The best way to safeguard a victim from being revictimised is by reducing their dependency on the offender often a partner. Safeguarding the victim to safeguard themselves is the final step in the process.

**R15** - *Intensive support system for minimum x 2 weeks put in place offering information on financial support available information about accommodation and job opportunities where applicable.*

**R16** – *Independent examination of how repeat victimisation and safeguarding can be addressed and improved on, post court case.*

### **6.1.2 Recommendations National Implementation**

The way in which the ACCP works and has been effective to date relates to the complete engagement from all agencies involved.

**R17** – *Workshops would need to be held with staff from the multiple agencies that would be involved in delivering the protocol by explaining the process in detail, how it*

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*works, in what way it can be effective (evidenced based support) and how they can begin to implement it.*

However, even with all of the agencies working together the ACCP could not be successful without the full support and flexibility of the Judge who fully facilitates this initiative. To implement this nationally it will require similar commitment from judges around the country. In order to achieve this the following recommendations should be considered.

**R18** – *Detailed documentation provided to Judges that outlines the evidence for how this initiative works the way that they can manage and structure their listings to facilitate it and any of the pitfalls or challenges that they might encounter and how they have been effectively overcome previously in ACC.*

One of the comments that was made in the interviews with the stakeholders was that there should be dedicated DA courts that sit at scheduled times that can hear cases efficiently.

**R19** – *Discussion amongst the judiciary about how this might best be implemented.*

One of the issues that will provide support for national implementation of this protocol is a detailed examination of attrition rates. The ACCP aims to deal with cases on an efficient basis to safeguard victims from further abuse, reduce attrition rates and lessen the impact of the court process on victims that results from long drawn out court cases

**R20** – *Funding to support the examination of the rate of attrition nationally for DA cases. If this protocol is to be successful a clear evidence base for how it reduces attrition needs to be established.*

The role that the legal profession has to play in this must not be understated. Evidence from defence solicitors, who have been engaging with the process, on the effectiveness from their perspective should be gathered, in the same way as the Police, CPS and WCUs to provide an evidence based rationale for its implementation for each stakeholder group.

**R21** – *Workshops between court users to work towards defining a system in line with the protocol, that can be agreed on as effective for all parties.*

As previously stated a review of all available technologies and how they could best be used to support the implementation of this process should be completed nationally.

**R22** – *Review the use of technology for improving this process (See **R6** & **R7**).*

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While completing this evaluation, it became clear that the vast majority of the cases in question related to some form of physical abuse. However, we know now of the impact of psychological abuse and how it can have more detrimental effects on a victim than physical abuse.

**R23** – *Training and workshops for all agencies and legal practitioners involved in the protocol on the impact of techniques such as coercive control and other forms of psychological abuse and how cases such as these can be managed as a part of this approach.*

A complete financial picture in regards to cost savings will strengthen the importance of the roll out of the protocol nationally.

**R24** – *A full cost benefit analysis across all the impacted agencies as a result of efficient and timely processing of DA.*

In the US, there are Mandatory Arresting Laws in place in various states, which require the police to make an arrest when responding to a DA call. The idea is to communicate a strong message of intolerance towards DA. However, these laws remain contentious and are unclear as to whether they help reduce DA by acting as a deterrent or if they risk further victimisation of those affected (Xie, Lauritsen & Heimer, 2012). As such, up until this point such laws have not been pursued in the UK, as according to Groves & Thomas, (2014) it would leave police officers without any discretion or ability to consider the wishes of the victim and also lead to underreporting out of fear of an extreme police response.

However, in light of the current approach, a re-examination is put forward beyond the concept of positive policing. If for instance we have in place an effective fast-tracking process for DA offences, it is logical to discuss the idea of mandatory arresting powers for police when dealing with potential DA offenders. The original discussion that suggested that these remove discretionary powers of the police can now consider the fact that offences of this nature will be being dealt with efficiently. Officers could be legally empowered to arrest when there are clear signs or evidence of physical abuse, victim fear or an extreme hostile environment. This recommendation is more long term and is put forward as a point of information to consider as being a potentially useful tool in the on-going support of victims of DA.

**R25** – *discuss the issue of mandatory arresting powers.*

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## 6.1 Limitations

While the current study demonstrated the effectiveness of the protocol and its impact and put forward a number of recommendations a number of limitations should be noted. The opening of this report uses figures from The Office for National Statistics (ONS) who use a capping methodology for handling repeat victimisation in the CSEW to address the issue of volatility in yearly trend estimates over time. This method has received plenty of criticism for introducing inaccuracy in the estimate of the total amount of crime that occurs, especially in relation to DA which is a crime with high frequency victims and repeat victimisation (ONS, 2017b; Towers, Walby & Francis, 2016).

In light of this then the issue of reported offenses versus actual offenses is important to consider. Official data include only those offences that are actually known to the police, and there are several documented reasons for the under-representation in offending behaviour and why crimes may not make it into official records. Specifically, in relation to domestic abuse we know from the research that exists that it is one of the most historically under reported offences due to the intimate relationship the offender has with the victim and often the intrinsic ties both familial and financial that a victim might have to an offender.

Victims of domestic abuse are less likely than any other victims of abuse or violence to call the police because of fear of reprisal, desire to protect the offenders, privacy concerns, not trusting the criminal justice process. Therefore, the estimated number of victims is much higher than the number of incidents and crimes recorded by the police and caution should be exercised in terms of generalising the findings from this study in relation to the nature of DA offending.

While one limitation was that there was relatively low up take in victims consenting or responding to offers to engage with the researchers, this is not considered a major issue. This evaluation aimed to examine the effectiveness or not of a protocol for managing efficiently cases of DA in ACC. Unless the victim had previously been through an alternative judicial approach to this, the process can only be a negative experience because of the fact that they have been the victims of DA. Asking for them to draw on positive experiences of this, while possible, is unlikely to capture the true picture of how effectively the system is working. The real value is in the responses by the stakeholders who work day to day with victims and are aware of how things were operating until the implementation of the protocol and can see the impact that this process has for all those involved.

Another limitation is that the current study did not examine or measure potential success by investigating attrition figures or other quantitative indicators. Unfortunately this was not possible in the short time frame and it was not part of the remit of this project. It will

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though form part of future work, with the support of the appropriate agencies, as the protocol is continuously evaluated and enhanced.

### **6.3. Conclusion**

The current evaluation examined the effectiveness of the ACCP and found that it has considerable positive impact in regards to improving the efficiency of how cases of DA are managed and run at ACC. The key point of this work outside of the impact on the victim and efficiency of the process remains the engagement of all agencies working towards a common goal; justice for victims of DA.

How this works in practice relates to the labour-intensive approach of building a case file to completion; this major task must not be understated. This work encompasses multiple strands of evidence gathering within a very short time frame and the positive partnership and working relationships amongst all agencies involved is the only way this can be achieved.

Our evaluation of the ACCP puts this multiagency partnership at the centre of its success. This work directly effects the high proportion of guilty pleas. Early guilty pleas will have a substantial impact on the victim in terms of having their case dealt with efficiently. Furthermore, there are considerable cost savings that can be made as a result of increased early pleas.

In order for a national implementation, strong multiagency relationships will lead to its success. This can be through linking into existing partnerships already established amongst these organisations. With appropriate resources and training fast tracking DA cases can be effectively implemented on a national scale.

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## APPENDIX I: INTERVIEW QUESTIONS

### Offenders' interview questions

1. What is your understanding of the protocol/fast-tracking ?
2. How has it been presented to you? By who?
3. Do you think it was adequately explained to you?
4. How would you describe your experience so far in relation to your case?
5. Do you think that this process had any impact on your plea? If yes what?
6. Do you think that this process had any impact on other aspects of your life either positive or negative? If yes what? For any other individuals in your life?
7. Do you think this process had any impact on the case overall? If yes what?
8. Do you think that overall the process is effective? If yes in what way? If no why?
9. Do you think it has been fair for you?
10. Do you think that the process it can be improved? If yes how?
11. Is there anything else you want to add/say?

### Victims' interview questions

1. What is your understanding of the protocol/fast-tracking?
2. How has it been presented to you? By who?
3. Do you think it was adequately explained to you?
4. How would you describe your experience so far in relation to your case?
5. Do you think that this process had any impact on your case? If yes what?
6. What was different now in relation to previous times (if any)?
7. Do you think that this process had any impact on other aspects of your life either positive or negative? If yes what? For any other individuals in your life?
8. What support did you receive throughout the process?
9. Do you think this process had any impact on the case overall? If yes what?
10. Do you think that overall the process is effective? If yes in what way? If no why?
11. Do you think that the process can be improved? If yes how?
12. Is there anything else you want to add/say?

### Stakeholders' interview questions

1. What is your understanding of the protocol/fast-tracking?
2. How was it initially presented to you and By who?
3. Do you think it was adequately explained to you?
4. How would you describe your experience of it so far?
5. Do you think that this process has had any impact on cases that go to court?
6. If yes to above - What is different now in relation to the past?
7. Do you think that overall the process is effective? If yes in what way? If not why?
8. Do you think that the process can be improved? If yes how?
9. Is there anything else you want to add/say to assist us in completing this evaluation?